UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,356	12/03/2003	Peter A. Panec	GCENP004	6402

22434	7590	05/24/2006

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EXAMINER
REFAI, RAMSEY

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/728,356	PANEC ET AL.
	Examiner	Art Unit	
	Ramsey Refai	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>17 March 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,4-27,30-42 and 45-67</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1,4-27,30-42 and 45-67</u> is/are rejected.

7) ☒ Claim(s) <u>4-26,30-41 and 45-67</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>3/17/06, 4/14/06</u>

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Responsive to Request for Continued Examination (RCE) filed on March 17, 2006. Claims 2-3,

28-29, and 43-44 have been canceled. Claims 1, 4-5, 7-9, 11, 16-19, 21-22, 27, 30-31, 33, 36, 39-

41, 42, 45-46, 48-50, 52, 57-60, 62-63, and 65 have been amended. Claims 1, 4-27, 30-42, and

45-67 remain pending further examination.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and
> distinctly claiming the subject matter, which the applicant regards as his invention.

2.   Claims 1, 4-27, 30-42, and 45-67 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 1, 27, and 42 recite the term "managing *a plurality of services, each of the*

services being accessible by *a plurality of services*". It is not clear if the second *plurality of*

services are the same services as the previous *a plurality of services ".* Furthermore, the claims

recite the term *"the services"* which lacks proper antecedent basis. Claims 4-26, 30-41, and 45-67

depend on the above rejected claims and therefore are rejected under the same rationale.

Claim Objections

3.   Claims 4-26, 30-41, and 45-67 objected to because of the following informalities: Claims

4-26 should be amended to recite -*The method-* and not "A method". Claims 30-41 should be

amended to recite –*The computer system-* and not "A computer system". Claims 45-67 should be

amended to recite –*The computer program product-* and not "A computer program product".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) The invention was described in (1) an application for patent, published under section 122(b), by another
> filed in the United States before the invention by the applicant for patent or (2) a patent granted on an
> application for patent by another filed in the United States before the invention by the applicant for patent,
> except that an international application filed under the treaty defined in section 351(a) shall have the effects
> for purposes of this subsection of an application filed in the United States only if the international application
> designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1, 4-23, 25-27, 30-42, 45-48-64, 66-67 are rejected under 35 U.S.C. 102(e) as

being anticipated by Ims et al. (hereinafter Ims), US 2002-0091533.

6.   As per claim 1, Ims teaches a method for correlating services within a computer network,

the method comprising:

providing a message interchange network for exchanging application-level messages

between services, the message interchange network being built on an open platform overlaying a

public network (paragraph [0098]) and managing a plurality of services, each of the services

being accessible by a plurality of services ([0033]; [0068-0069]) according to properties and

permissions associated with each service in the plurality of services (paragraphs [0016,0074]);

and

tracking correlation information regarding each application level message received into

message interchange network, wherein the application level messages are being sent between

pairs of the services, wherein the correlation information for each message pertains to each

application level message and any other application level messages related to the each application

level message (correlation information are the orders in XML format, it is being sent across the

network between plurality of vendors, [0033]; [0068-0069]) the correlation information including

one or more of: a Hop Identifier (ID) uniquely identifying a hop between a sender and receiver of

the each application-level message, call information regarding a call to which the each

application-level message and any other related application belongs, and session information

regarding a session to which the each application-level message and any other related application-

level message belongs (Appendix A.1, pg 13-14, wherein the message information are encoded

within XML documents and [0074], the identifier is in the form of XML tags, the XML tags

identifies each hop between a sender and a receiver).

7.   As per claim 4, Ims teaches a method as recited in claim 3, wherein the message

information for each application level message further includes an identification of the each

application level message's sending service and receiving service ([0074]).

8.   As per claim 5, Ims teaches a method as recited in claim 3, wherein the message

information for each application level message further includes an indication as to whether the

each application level message has completed transmission (Col. 21, lines 5-10; Col. 6, lines

15-20, wherein the error detection detect the completeness of a message transmission, a

transmission without error is complete).

9.   As per claim 6, Ins teaches wherein the message information for each application level

message further includes a reason or error log regarding why the each application level message

has failed to complete its transmission if the each application level message as failed ([0092]).

10.   As per claim 7, Ims teaches a method as recited in claim 3, wherein the message

information for each application level message further includes a portion of the each message

content (Appendix A.1, pg 13-14).

11.   As per claim 8, Ims teaches a method as recited in claim 3, wherein the message

information for each application level message further includes two or more of the following: an

identification of the each application level message's sending and receiving service (Appendix

A.1, pg 13-14), an indication as to whether the each application level message has completed

transmission, a reason or error log regarding why the each message has failed to complete its

transmission if the each application level message has failed ([0092]), and a portion of the each

application level message content (AppendixA.1, pg 13-14), a size of the each application level

message, a topic of the each application level message, a status on processing steps taken on the

each application level message, and specification of any protocols used in receiving and sending

the each message ([0070-0073]).

12.   As per claim 9, Ims teaches a method as recited in claim 2, wherein the call information

for each call includes a Call Identifier (ID) uniquely identifying the each call ([0074]; [0076]).

13.   As per claim 10, claim 10 is rejected for the same reasons as rejection to claim 8 above.

14.   As per claim 11, Ims teaches a method as recited in claim 2, wherein the session

information for each session includes a Session Identifier (ID) uniquely identifying the each

session (transactions are uniquely identified within Ims's system, [0074]; [0076]).

15.   As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 5 above.

16.   As per claim 13, Ims teaches a method as recited in claim 11, wherein the session·

information for each session further includes a calculated or executed route for messages sent

within the each session ([0068-0069]).

17.   As per claim 14, Ims teaches a method as recited in claim 11, wherein the session

information for each session further includes an identity (Appendix A.1, pg 13-14) and status of

each service of the each session ([0092]).

18.   As per claim 15, claim 15 is rejected for the same reasons as rejection to claim 8 above.

19.   As per claim 16, Ims teaches a method as recited in claim 2, wherein each message

belongs to a particular call between two of the services ([0068-0069]).

As per claim 17, Ims teaches a method as recited in claim 2, wherein each call include a request

message ([0068]) and a response message or a notification message ([0092]).

20.   As per claim 18, Ims teaches a method as recited in claim 2, wherein a call is defined as a

set of predefined application level message types ([0068-0069]).

21.   As per claim 19, Ims teaches a method as recited in claim 2, wherein a session is
determined by the services which send application level messages for the set of calls as a set of
calls ([0068-0069]).

22.   As per claim 20, Ims teaches a method as recited in claim 1, wherein at least some of
services are implemented on different computer systems and at least some of these computer
systems differ from a computer system which implements the message interchange network
([0068-0069]).

23.   As per claim 21, Ims teaches a method as recited in claim 2, wherein the tracking of
correlating information comprises: receiving a current application level message at the message
interchange network, wherein the current application level message belong to a current session
and a current call ([0068-0069]); when the received current application level message is a first
message received for the current session, assigning a session identifier for the current message
(Appendix A.1, pg 13-14; [0068-0069]) and embedding the session identifier in the current
message prior to forwarding it to its destination service ([0063]; [0065]; [0074]); when the
received current application level message is a first message received for the current call,
assigning a call identifier for the current application level message and embedding the call
identifier in the current application level message prior to forwarding it to its destination service
(Appendix A.1, pg 1314; [0068-0069]; [0063]; [0065]; [0074]); assigning a hop identifier for the
current application level message which uniquely identifies the current application level message
(Appendix A.1, pg 13-14), and associating and storing the session identifier, the call identifier,
and the hop identifier, along with message information, call information, and session information
for the received application level message (Appendix A.1, pg 13-14).

24.   As per claim 22, Ims teaches a method as recited in claim 2, further comprising:
receiving a query for correlation information regarding a particular session or call, wherein the

query is sent by a first one of the services ([0068]); and sending correlation information to the

first service related to the particular session or call of the query

25.   As per claim 23, Ims teaches a method as recited in claim 22, wherein the correlation

information includes information regarding application level messages sent between more than

two services ([0068-0069]).

26.   As per claim 25, Ims teaches a method as recited in claim 1, wherein at least one of the

services is a routing script ([0065]; [0076]).

27.   As per claims 26, 27, 30-33, these claims are rejected for the same reasons as the

rejection to claims 22, 1, 8-11 above.

28.   As per claims 34-42, 45-48, these claims are rejected for the same reasons as the rejection

to claims 8, 17-21, 26, 25, 1, and 4-7 above.

29.   As per, claims 49-50, claims 49-50 are rejected for the same reasons as rejection to claim

8-9 above respectively.

As per claims 51-55, claims 51-55 are rejected for the same reasons as rejection to claim 8, 11, 5,

13, 14 above respectively.

30.   As per claims 56-64, 66, claims 56-64, 66 are rejected for the same reasons as rejection to

claim 8, 16-21, 26, 23, 25 above respectively.

31.   As per claim 67, claim 67 is rejected for the same reasons as rejection to claim 26 above.

Claim Rejections - 35 USC § 103

32.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

33.   Claims 24, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable by Ims et al.

(hereinafter Ims), US 2002-0091533, in view of Picher-Dempsey, US 6,779,031.

34.   As per claim 24, Ims does not explicitly teach a method as recited in claim 22, further

comprising determining whether the first service is authorized to make the query and only

sending correlation information to the first service when it is determined that the first service is

authorized, although Ims teaches XML programming languages support appropriate security

modules, see [0009], [0012] for additional details. In a similar system, Picher-Dempsey teaches

of a network monitoring system allowing only the authenticated/authorized users to make 1P/QoS

reservation requests (Col. 4, lines 30-50). This is done for security reasons, so that only the

authenticated users may have access to the network information. Hence, it would have been

]obvious to the person ordinary skilled in the art to combine teachings of Ims and

Picher-Dempsey because using secure authentication in a monitoring system in order to ensure

information is secure on the internet as taught by Picher-Dempsey would improve the capability

of Ims's system by introducing added security.

35.   As per claim 65, claim 65 is rejected for the same reasons as rejection to claim 24 above.

Response to Arguments

36.   Applicant's arguments have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues in substance that:

Argument A:

Ims is not built on an open platform overlaying a public network

Argument B:

It would not have been obvious to combine Ims and Picher-Dempsey

- In response to:

Argument A:

the Examiner respectfully disagrees. Ims teaches automatic transformation and process

integration techniques and the use of XML makes the invention platform independent in an open

distributed environment in which e-business can be conducted. (See paragraphs [0098, 0016]).

Argument B:

In response to applicant's argument that there is no suggestion to combine the references, the

examiner recognizes that obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching,

suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine,* 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones,* 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, Ims does not explicitly teach a method as recited in claim 22, further comprising

determining whether the first service is authorized to make the query and only sending correlation

information to the first service when it is determined that the first service is authorized, although

Ims teaches XML programming languages support appropriate security modules, see [0009],

[0012] for additional details. In a similar system, Picher-Dempsey teaches of a network

monitoring system allowing only the authenticated/authorized users to make 1P/QoS reservation

requests (Col. 4, lines 30-50). This is done for security reasons, so that only the authenticated

users may have access to the network information. Hence, it would have been

]obvious to the person ordinary skilled in the art to combine teachings of Ims and

Picher-Dempsey because using secure authentication in a monitoring system in order to ensure

information is secure on the internet as taught by Picher-Dempsey would improve the capability

of Ims's system by introducing added security.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ramsey Refai whose telephone number is (571) 272-

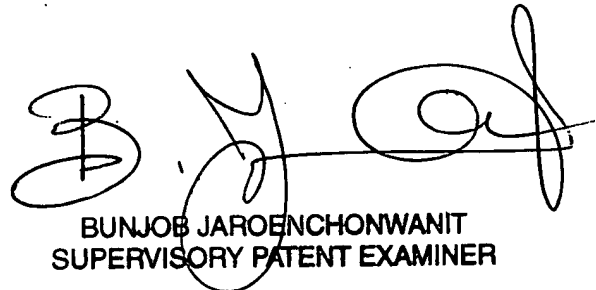3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
Examiner
Art Unit 2152
May 21, 2006

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SUPERVISORY PATENT EXAMINER